Application No.: 10/050,857

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and d) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 1-4 and 10 are rejected under 35 U.S.C. 102 (e) as unpatentable over Saitoh et al. (U.S. Patent No. 6,127,039). The rejection is respectfully traversed.

As indicated in the Office Action, claims 5 and 11 would be allowable if rewritten to include all of the features of the base claim and any intervening claims.

Claim 1 is amended to include the features of claim 5 and claim 10 is amended to include the features of claim 11. As a result, it is respectfully submitted that claims 1 and 10 are now in condition for allowance.

Claims 2 and 3 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Application No.: 10/050,857

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: June 15, 2004

By: David T. Nikaido Reg. No. 22,663

> Carl Schaukowitch Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W. Suite 501 Washington, D.C. 20036

Tel: (202) 955-3750 Fax: (202) 955-3751 Customer No. 23353

DC159192